

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DAMIEN DESHAWN PUGH,

Plaintiff,

v.

BEST BUY,

Defendant.

Case No. C25-884-JLR

ORDER TO SHOW CAUSE

Plaintiff has filed an application to proceed *in forma pauperis* (“IFP”) in the above-entitled action. (Dkt. # 6.) In the IFP application, Plaintiff states he is unemployed, has not received money from any source in the past twelve months, has no cash or funds in bank accounts, owns no valuable property, and has no dependents. (*Id.* at 1-2.) He left blank the sections of the application requesting information about his monthly expenses and any other information reasons why he cannot pay court fees and costs. (*Id.* at 2.)

The district court may permit indigent litigants to proceed IFP upon completion of a proper affidavit of indigence. *See* 28 U.S.C. § 1915(a). “To qualify for *in forma pauperis* status, a civil litigant must demonstrate both that the litigant is unable to pay court fees and that the claims he or she seeks to pursue are not frivolous.” *Ogunsalu v. Nair*, 117 F. App’x 522, 523

1 (9th Cir. 2004), *cert. denied*, 544 U.S. 1051 (2005). To meet the first prong of this test, a litigant  
2 must show that he or she “cannot because of his [or her] poverty pay or give security for the  
3 costs and still be able to provide him[ or her]self and dependents with the necessities of life.”  
4 *Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 339 (1948) (internal alterations  
5 omitted).

6 Here, Plaintiff’s IFP application omits information necessary for the Court to determine  
7 whether he is able to afford court fees. Plaintiff fails to explain how he can meet his basic living  
8 needs, such as food and housing, given his lack of income or savings. Without further  
9 information, Plaintiff should not be authorized to proceed IFP.

10 Accordingly, Plaintiff is ORDERED to show cause by **July 15, 2025**, why this Court  
11 should not recommend that his IFP application be denied. In the alternative, Plaintiff may file an  
12 amended IFP application clarifying the matters noted above by that date. The Clerk is directed to  
13 re-note Plaintiff’s IFP application (dkt. # 6) for **July 15, 2025**, and to send copies of this order to  
14 Plaintiff, along with a blank IFP application, and to the Honorable James L. Robart.

15 Dated this 1st day of July, 2025.

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17 MICHELLE L. PETERSON  
18 United States Magistrate Judge  
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